

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

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PETER LeBLANC,  
Plaintiff,

v.

ASHBEL T. WALL, et al.,  
Defendants.

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) C.A. No.: 11-101-M  
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**ORDER**

This matter is before the Court on Plaintiff Peter LeBlanc's Objection to United States Magistrate Judge David L. Martin's Report and Recommendation (R&R). (ECF No. 38.) The R&R (ECF No. 34) addresses four motions: (i) Defendant State of Rhode Island's Motion to Dismiss (ECF No. 13); (ii) Defendant A.T. Wall's Motion to Join and Support the State of Rhode Island's Motion to Dismiss (ECF No. 17); (iii) Mr. LeBlanc's Motion for Injunctive Relief (ECF No. 19); and (iv) Mr. LeBlanc's Amended Petition for Injunctive Relief. (ECF No. 29.)

After a review of the R&R, as well as the moving papers and oppositions, the Court GRANTS Defendant State of Rhode Island's Motion to Dismiss (ECF No. 13) because Mr. LeBlanc has failed to exhaust his administrative remedies. The Court's basis for this ruling appears in the R&R on pages 18-20.<sup>1</sup> And, for the same reasons, the Court GRANTS Defendant A.T. Wall's Motion to Join and Support the State of Rhode Island's Motion to Dismiss. (ECF No. 17.) The two remaining motions addressed in the R&R – Mr. LeBlanc's Motion for Injunctive Relief (ECF No. 19) and Mr. LeBlanc's Amended Petition for Injunctive Relief (ECF

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<sup>1</sup> Additional reasons for granting Defendant State of Rhode Island's Motion to Dismiss (ECF No. 13) appear on pages 23-27 of the R&R.

No. 29) – are DENIED AS MOOT because the Court has granted the two defendants’ motions to dismiss.<sup>2</sup>

In addition, subsequent to the referral of the aforementioned four motions to the Magistrate Judge, Mr. LeBlanc filed two additional motions. Those two motions – Mr. LeBlanc’s Motion to Amend Petition (ECF No. 32) and Mr. LeBlanc’s Motion for Declaratory Judgment (ECF No. 33) – are DENIED AS MOOT because the Court has granted defendants’ motions to dismiss.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.  
United States District Judge

January 25, 2012

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<sup>2</sup> George Vose, Jr. was named as a defendant in Mr. LeBlanc’s original complaint, but Mr. Vose was not included as a defendant in Mr. LeBlanc’s Amended Complaint. (ECF No. 5.)